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February 27th, 2021

Via Priority Mail # 9405503699300292046327

Via E-mail: customer@puc.texas.gov

Public Utility Commission of Texas
Customer Protection Division
1701 N. Congress Ave.
Austin, TX 78711

FORMAL COMPLAINT

Complaint Number: **CP 2020060406**

Property: **Mochizuki Cultural Center**
11403 Regency Green
Houston, Texas 77429

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PUBLIC UTILITY COMMISSION
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The Mochizuki Cultural Center, located at 11403 Regency Green, Texas 77429 is bordered by high-voltage lines on one or more poles supported by broken, insufficient and dangerously low guy-wires.

The PUC has waived the informal complaint requirement for this particular complaint.

This is a formal complaint against CenterPoint Energy, Houston, Texas and related to the above referenced property address and dangerous power pole conditions.

Informal attempts to resolve this matter with CenterPoint Energy have failed and the dangerous conditions continue to exist.

The Mochizuki Cultural Center property is located adjacent to a Harris County Public Library. The properties are separated by a CenterPoint high-voltage transmission line. The properties are separated by a public street and public parking lot. The above referenced transmission lines ARE NOT consumer feed lines, but 4Kv high-voltage transmission lines. Further, Mochizuki is not a retail customer of CenterPoint Energy.

In January of 2020, a complaint was made regarding broken strands of steel guy-wire on one of CenterPoint Energy's transmission poles. Due to poor engineering, the guy-wires were only about nine feet above the surface of the road and a height of four feet at the curb.

Sometime in late February 2020 an unknown vehicle struck 2 of the 3 steel braid guy-wires supporting a 4Kv transmission pole and severed them. Today, only one remaining intact wire is supporting the pole.

THIS UN-REPAIRED CONDITION STILL EXISTS TODAY.

The original complaint to CenterPoint requested that the guy-wires not be replaced in the same unsafe condition, but requested the guy wires be raised to a height that a firetruck could pass underneath. These wires are invisible at night and are a dangerous obstruction.

CenterPoint Energy has a history and pattern of conduct of ignoring complaints about guy-wires and being sued to repair and mitigate the dangers un-repaired high-voltage equipment presents (Zarsky, 2014 and Caton, 2020).

If the single guy-wire supporting the 4Kv transmission pole is severed, the pole will fall exposing the Mochizuki property AND the patrons of the adjacent Harris County Public Library to deadly voltage.

CenterPoint Energy's response was to demand that Mochizuki pay \$10,000 in repair costs. The estimated cost to repair recently presented by CenterPoint Energy has changed to \$4,000.

After subsequent contact with CenterPoint Energy on May 6th, 2020 (Mr. Diamonte Erickson) about the above facts, Mr. Erickson UNCONDITIONALLY stated the pole would be repaired and upgraded to a status where the low hanging guy-wires are no longer a liability.

Unfortunately, CenterPoint Energy now states that **they have no obligation to repair** the pole and its 4Kv liability.

No easement rights ever granted to CenterPoint Energy permit the exposure of unsafe and extremely dangerous conditions to the public.

CenterPoint Energy is now demanding that Mochizuki share the repair cost (now approximately \$4,000) and CenterPoint Energy offered, but withdrew, a contribution of \$1,000.00 toward the cost of the repair.

CenterPoint Energy disagrees that it has any obligation to pay or contribute any amount in connection with the relocation of the pole/guy wire on the above-referenced property. CenterPoint's attorney states that, "Any condition relating to the pole, guy wire or other facilities was created by the construction of the access lane and other improvements around the pole and on the property in violation of the easement and without consent of CenterPoint Energy."

CenterPoint Energy's only offer to settle had a 24-hour notice or it was withdrawn. Mochizuki was unable to respond within this short time limit and the dangerous conditions still exist today.

Neither Mochizuki or the Harris County Public Library have ever modified, improved or tampered with any CenterPoint property. The repair of unsafe and dangerous high-voltage conditions is NEVER the obligation of a property owner, most especially when the property owner IS NOT a customer of CenterPoint Energy and is not responsible for the condition that is the basis for this complaint.

On May 6th, 2020, Mr. Erickson assured Mochizuki that the matter at Regency Green with guy-wires "*was completely resolved.*" Mr. Ericson represented he had the authority to resolve this matter. Two weeks later, it was discovered that Mr. Erickson failed to contact Mochizuki and advise him that his decision was "overruled," "no repairs will be done" and that his decision "was only a recommendation."

Furthermore, Mr. Erickson ultimately referred to an attorney, but Mr. Erickson refused to provide any contact information for any lawyers, he refused to provide Mr. Reese's supervisor's contact information, and he refused to provide his supervisor's name or contact information.

CenterPoint Energy has attempted to shift the cost burden of its poorly maintained high-voltage power pole to a citizen that is not even a customer of CenterPoint Energy. CenterPoint's conduct and response, especially that of Mr. Leon Reese and Mr. Diamonte Erickson, has been insensitive to the point of offensive and insulting.

CenterPoint Energy has failed and still refuses to repair high-voltage transmission lines to a safe condition that permits the ingress and egress of vehicles. Further, CenterPoint Energy has attempted to shift the cost of the repair to a private citizen, and only after initially affirming that the repairs would be done.

CenterPoint Energy has failed to protect the Complainant and public citizens in general from an unreasonable risk of foreseeable harm caused by the CenterPoint Energy's unmarked guy-wire on a high-voltage transmission pole.

This complaint demands that CenterPoint Energy repair its 4Kv transmission located at 11403 Regency Green, Houston, Texas to a completely safe condition.

Respectfully,

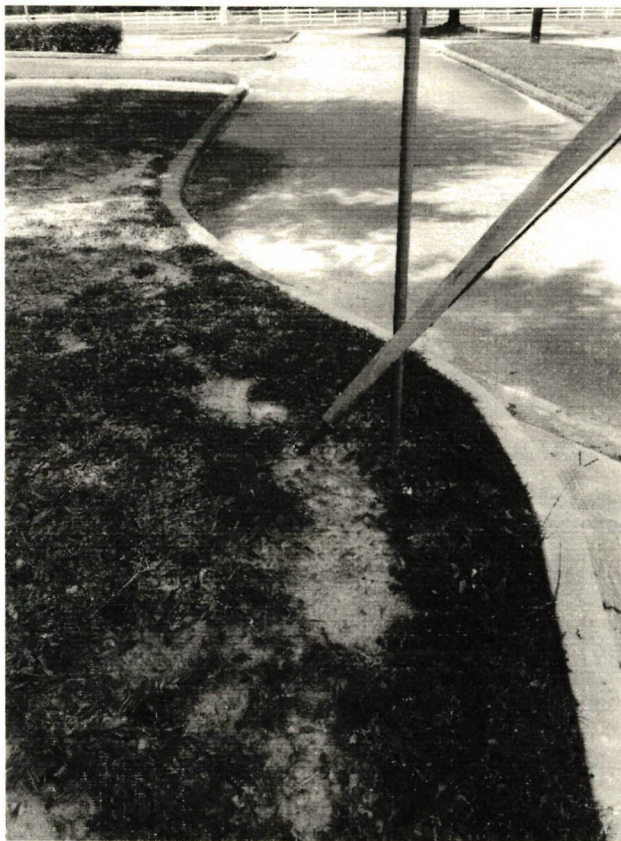
PAUL ANDERSON, PLLC



PAUL V. ANDERSON

Attorney for 11403 Regency Green

Photograph #1



Photograph #2



Photograph #3



Photograph #4

